

FILED

APR 25 2018

Clerk, U.S. Courts
District Of Montana
Missoula Division

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALLEN WESLEY HARWOOD and
DEZMEN TAMIRE PATRON,

Defendants.

CR 18-09-M-DWM

ORDER

THIS MATTER comes before the Court on the United States' motion for preliminary order of forfeiture. Have reviewed said motion, the Court finds:

THAT the United States and the defendants, Allen Wesley Harwood and Dezmen Tamire Patron, entered into plea agreements that provide a factual basis and cause to issue a forfeiture order under 21 U.S.C. § 853(a)(1), 21 U.S.C. § 881(a)(7) and (11), and 18 U.S.C. § 924(d);

THAT prior to the disposition of the assets, the United States Marshal's Service, or its designated sub-custodian, is required to seize the forfeited property; and

THAT 21 U.S.C. § 853(n)(1) requires that third parties who may have an interest in the property receive notice, via publication, or to the extent practical,

direct written notice of the forfeiture and the United States' intent to dispose of the property.

THEREFORE, IT IS ORDERED, DECREED AND ADJUDGED:

THAT the United States' motion for a preliminary order of forfeiture is GRANTED.

THAT the defendants' right, title and interest in: (1) any property constituting and derived from any proceeds obtained, directly and indirectly, as a result of the Indictment violations; (2) any property used and intended to be used, in any manner and part, to commit, and facilitate the commission of, the offenses in the Indictment Counts; and (3) any firearm used and intended to be used to facilitate the transportation, sale, receipt, possession, and concealment of controlled substances and any proceeds traceable to such property is forfeited to the United States in accordance with 21 U.S.C. § 881(a)(7), 21 U.S.C. § 853(a)(1), 21 U.S.C. § 881(a)(11), and 18 U.S.C. § 924(d). That property consists specifically of the following items:

- Residential property located at 4783 Calistoga Lane, Missoula, Montana 59808, more fully described as Lot A126 of Canyon Creek Village, Phases 9 and 10, a platted subdivision in Missoula County, Montana;
- Smith and Wesson .22 caliber pistol bearing serial number 98963 and ammunition;
- Black ballistic vest;

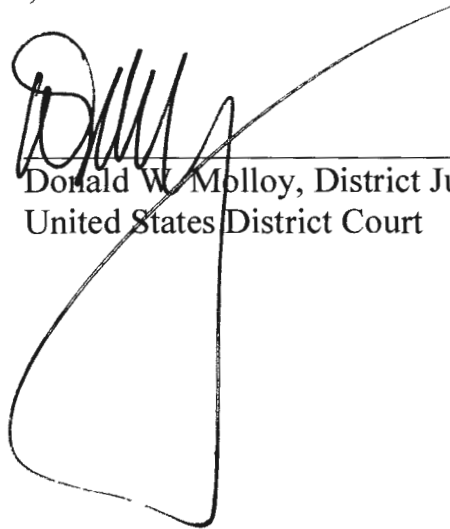
- Ammunition: 3 rounds of .45 caliber and 18 rounds of .40 caliber;
- Lock picking kit;
- Silver Galaxy S6 cell phone;
- Black LG cell phones (five);
- Double blade Samurai sword with blade cover;
- HP laptop computer with serial number CNF7286205; and
- Samsung cell phone

THAT the United States Department Marshal's Service, or its designated sub-custodian, is directed to seize the property subject to forfeiture and further to make a return as provided by law;

THAT the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's preliminary order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

THAT upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 25th day of April, 2018.



Donald W. Molloy, District Judge
United States District Court